IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO. 10 OF 2005.

In the matter of the Companies act, 1956

And

In the matter of Sections 100 to 104 of the Companies Act, 1956

And

In the matter of the reduction of Share Capital of Rocksoil & Associates Construction Company Private Limited.

Rocksoil & Associates Construction Company Pvt.Ltd. ... Petitioner.

Shri Rajesh Shah, for the Petitioner.

CORAM : S.U.KAMDAR,J

DATE: FEBRUARY 18, 2005.

P.C. :

. Present petition is for reduction in share capital by payment of the amount to the shareholders. A special resolution has been passed in the Extra-ordinary General Meeting held on 10th December, 2004 and confirmation of the same is shown under section 100 of the Companies

Act. In paragraph 14 of the petition, a statement has been made that the petitioner company does not have any secured or unsecured creditors as on date. In view of the above fact that there are no secured and unsecured creditors, a compliance of a procedure under section 101(2) of the Companies Act is not required. In these special circumstances, I grant the prayer of dispensing with special procedure in exercise of my power under section 101(3) of the Companies Act. In view thereof, present petition is made absolute in terms of prayer clause (a) and (b).

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